Docket No. 3430-0164P Appl. No. 09/750,162

Advisory Action dated February 9, 2005

Response to Advisory Action filed February 22, 2005

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## **REMARKS**

Applicants note the Advisory Action dated February 9, 2005 that was mailed in reply to the Amendment filed on October 12, 2004. The Advisory Action indicates that the proposed Amendment will be entered but that the claims are still rejected.

Applicants are confused by this Advisory Action. The Examiner is reminded that he has already removed the previous final rejection of July 9, 2004 as indicated in the new final rejection dated December 7, 2004, in response to this same Amendment of October 12, 2004. Accordingly, Applicants do not understand why the Advisory Action has been sent since the previous final rejection has already been removed.

Applicants understand that a response to the current final rejection remains due on March 7, 2005. No further response need be made to the previous final rejection of July 9, 2004 or the Advisory Action of February 9, 2005.

Applicants contacted Examiner Lesperance on February 16, 2005 in order to straighten this out. The present paper is being filed to make a record of that conversation and to make the file complete.

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In the event there are any matters remaining in this application, the Examiner is invited to contact Robert F. Gnuse, Registration No. 27,295 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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EHC/RFG/adt